

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

FILED

APR 19 2007

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY DEPUTY CLERK

MARIA G. HERNANDEZ, INDIVIDUALLY
AND AS NEXT FRIEND OF A.N.C.,
A MINOR CHILD, AND AS
REPRESENTATIVE OF THE ESTATES
OF JOSE FREDDY CORTEZ HERNANDEZ
AND JUAN DANIEL CORTEZ FOR AND
ON BEHALF OF ALL THOSE ENTITLED
TO RECOVER FOR THEIR DEATHS

vs.

COOPER TIRE & RUBBER COMPANY,
FORD MOTOR COMPANY,
WAL-MART STORES, INC.

VS.

TROPHY NISSAN, INC.

CIVIL ACTION NO. SA04CA0795

FINAL JUDGMENT

BE IT REMEMBERED that on the below signed date, came on to be heard and considered the above-entitled and numbered cause, when came all parties by and through their respective attorneys of record, and the parties having announced ready for trial, and the Court having proceeded to hear such cause when the parties announced to the Court that they had entered into an accord and settlement in this cause and that the consideration of such settlement had been paid in full, and the parties have agreed that Judgment should be entered in favor of the Defendants, Wal-Mart Stores, Inc. (alleged to be an Incorrectly and Improperly Named Defendant) and Wal-Mart Stores Texas, L.P., and against Plaintiffs, Maria G. Hernandez, Individually; Maria G. Hernandez, as Next Friend of A.N.C., a Minor; Maria G. Hernandez, as Representative of the Estates of Jose Freddy Cortez Hernandez and Juan Daniel Cortez, Jesus Cortez Gonzalez, Antonia Hernandez, and Lucia Sandoval.

It is therefore, ORDERED, ADJUDGED, AND DECREED that an annuity with a present value of SIXTY THOUSAND FOUR HUNDRED TWENTY SIX DOLLARS

AND 74/100 DOLLARS (\$60,426.74) will be purchased for A.N.C., a Minor, by Defendants and said annuity will make the following four (4) lump sum payments:

- (i) FIFTEEN THOUSAND and NO/100 DOLLARS (\$15,000.00) on September 1, 2025 (at age 25).
- (ii) EIGHTY-TWO THOUSAND, FOUR HUNDRED FIFTEEN DOLLARS AND NO/100 DOLLARS (\$82,415.00) on September 1, 2030 (at age 30).
- (iii) EIGHTY-TWO THOUSAND, FOUR HUNDRED FIFTEEN DOLLARS AND NO/100 DOLLARS (\$82,415.00) on September 1, 2035 (at age 35).
- (iv) EIGHTY-TWO THOUSAND, FOUR HUNDRED FIFTEEN DOLLARS AND NO/100 DOLLARS (\$82,415.00) on September 1, 2040 (at age 40).

It is further ORDERED, ADJUDGED AND DECREED that the obligations of Defendants, Wal-Mart Stores, Inc. (alleged to be an Incorrectly and Improperly Named Defendant) and Wal-Mart Stores Texas, L.P., under this judgment shall be discharged upon the funding of the above annuity pursuant to the parties settlement agreement and Uniform Qualified Assignment, attached as Exhibit "A."

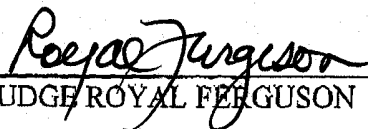
It is further ORDERED, ADJUDGED AND DECREED that Maria G. Hernandez, Individually; Maria G. Hernandez, as Next Friend of A.N.C, a Minor; Maria G. Hernandez, as Representative of the Estates of Jose Freddy Cortez Hernandez and Juan Daniel Cortez; Jesus Cortez Gonzalez; Antonia Hernandez; and Lucia Sandoval take nothing by reason of this suit, and that Defendants be discharged and that such Defendants stand fully released, discharged, and acquitted.

The Court, having appointed Raul Rios as Guardian Ad Litem for the Minor Plaintiff, A.N.C., finds that the sum of \$ 45⁰⁰ should be paid to Raul Rios as the fee for that representation, with such fee being reasonable and necessary while serving in that capacity. The Court further finds that said fee will be paid by the Defendants and ORDERS that Defendants pay said fee to Raul Rios.

All other claims that have been asserted in this action by any dismissed. Any relief not herein granted is hereby specifically denied.

Each party shall bear its own costs.

SIGNED this 19th day of April 2007.



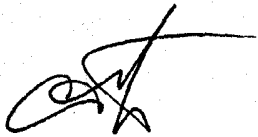
JUDGE ROYAL FERGUSON

APPROVED BY:



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**ATTORNEYS FOR DEFENDANTS,
WAL-MART STORES, INC., AN INCORRECTLY
AND IMPROPERLY NAMED DEFENDANT;
AND WAL-MART STORES TEXAS, L.P.**

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GUARDIAN AD LITEM FOR A.N.C., MINOR

Revised Final Structured Settlement Benefits
For
Angie Nicole Cortez (Female, DOB 09/01/2000)

2/1/2007

American General Life Insurance Company		
Description	Guaranteed Payments	
<u>Guaranteed Lump Sum Payments</u>		
Pay \$15,000.00 On 09/01/2025 (Age 25)	15,000	
Pay \$82,415.00 On 09/01/2030 (Age 30)	82,415	
Pay \$82,415.00 On 09/01/2035 (Age 35)	82,415	
Pay \$82,415.00 On 09/01/2040 (Age 40)	82,415	
Total Guaranteed Payments	262,245	
TOTAL COST	\$60,426.74	

COMPANY RATINGS		
Rating Service	American General	
A.M. Best	A++, XV	
Standard and Poor's	AA+	
Moody's	Aa1	
Fitch (formerly Duff & Phelps)	AA+	